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Letter dated 20 March 2003 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

Coalition forces have commenced military operations in Iraq. These operations are necessary in view of Iraq's continued material breaches of its disarmament obligations under relevant Security Council resolutions, including resolution 1441 (2002). The operations are substantial and will secure compliance with those obligations. In carrying out these operations, our forces will take all reasonable precautions to avoid civilian casualties.

The actions being taken are authorized under existing Council resolutions, including its resolutions 678 (1990) and 687 (1991). Resolution 687 (1991) imposed a series of obligations on Iraq, including, most importantly, extensive disarmament obligations, that were conditions of the ceasefire established under it. It has been long recognized and understood that a material breach of these obligations removes the basis of the ceasefire and revives the authority to use force under resolution 678 (1990). This has been the basis for coalition use of force in the past and has been accepted by the Council, as evidenced, for example, by the Secretary-General's public announcement in January 1993 following Iraq's material breach of resolution 687 (1991) that coalition forces had received a mandate from the Council to use force according to resolution 678 (1990).

Iraq continues to be in material breach of its disarmament obligations under resolution 687 (1991), as the Council affirmed in its resolution 1441 (2002). Acting under the authority of Chapter VII of the Charter of the United Nations, the Council unanimously decided that Iraq has been and remained in material breach of its obligations and recalled its repeated warnings to Iraq that it will face serious consequences as a result of its continued violations of its obligations. The resolution then provided Iraq a "final opportunity" to comply, but stated specifically that violations by Iraq of its obligations under resolution 1441 (2002) to present a currently accurate, full and complete declaration of all aspects of its weapons of mass destruction programmes and to comply with and cooperate fully in the implementation of the resolution would constitute a further material breach.

The Government of Iraq decided not to avail itself of its final opportunity under resolution 1441 (2002) and has clearly committed additional violations. In view of Iraq's material breaches, the basis for the ceasefire has been removed and use of force is authorized under resolution 678 (1990).

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Iraq repeatedly has refused, over a protracted period of time, to respond to diplomatic overtures, economic sanctions and other peaceful means, designed to help bring about Iraqi compliance with its obligations to disarm and to permit full inspection of its weapons of mass destruction and related programmes. The actions that coalition forces are undertaking are an appropriate response. They are necessary steps to defend the United States and the international community from the threat posed by Iraq and to restore international peace and security in the area. Further delay would simply allow Iraq to continue its unlawful and threatening conduct.

It is the Government of Iraq that bears full responsibility for the serious consequences of its defiance of the Council's decisions.

I would be grateful if you could circulate the text of the present letter as a document of the Security Council.

(*Signed*) John D. **Negroponte**